

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

<b>IN RE:</b> <b>WESTWIND MANOR RESORT</b> <b>ASSOCIATION, INC., <i>et al.</i></b> <b>Debtors.</b>	§ § § §	<b>Case No. 19-50026 (DRJ)</b> <b>(Chapter 11)</b> <b>Jointly Administered</b>
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**FORCE 10 AGENCY SERVICES LLC,**  
**TRUSTEE OF THE CREDITOR TRUST**

*Plaintiff,*

**VS.**

**ADV. P. NO. 21-03035**

**BRENDAN M. FLAHERTY**  
**BMF PROPERTIES, LLC;**  
**WARRIOR GOLF, LLC;**  
**WHOLESALE GOLF SUPPLY &**  
**SERVICES, INC.;**  
**DOT COM ASSET MANAGEMENT, LTD.;**  
**WARRIOR CUSTOM STORAGE & RV, LP,**  
**RIVERBOUND STORAGE**  
**MANAGEMENT, LLC**  
**CIMARRON FOOD AND BEVERAGE, INC.;**  
**WOLF CREEK FOOD AND**  
**BEVERAGE, LLC;**  
**WARRIOR TENNESSEE FOOD AND**  
**BEVERAGE, LLC;**  
**DWIGHT BECKSTRAND**  
**(D/B/A BECKSTRAND LAW OFFICES);**  
**REED A. COLEY; AND**  
**COLEYDOCTER, INC.**

*Defendants.*

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**AGREED MOTION TO VACATE SCHEDULING ORDER AND  
REQUEST FOR STATUS CONFERENCE**

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TO THE HONORABLE DAVID R. JONES, CHIEF UNITED STATES BANKRUPTCY JUDGE: COMES NOW, PLAINTIFF FORCE 10 AGENCY SERVICES LLC, TRUSTEE OF THE CREDITOR TRUST in the above captioned consolidated Chapter 11 cases and files this Motion to Vacate Scheduling Order (Dkt. 36) and Request for Status Conference, and would respectfully show the Court as follows:

1. On March 3, 2021, Plaintiff Force 10 Agency Services, LLC, Trustee of the Creditor Trust in the abovementioned bankruptcy proceeding, filed its Complaint against multiple Defendants.

2. Currently, the claims against all Defendants other than Brendan Flaherty (and his related entities), Reed A. Coley, ColeyDoctor, Inc., and Dwight Beckstrand have been previously resolved.

3. The Trustee in the above matter has reached an agreement in principle resolving the claims against Brendan Flaherty (and his related entities) and is currently preparing the necessary agreements and motion to approve the settlement and anticipates filing those in the coming weeks.

4. Defendant Beckstrand has not answered and is in default.

5. Defendants Coley and ColeyDoctor, Inc. have answered, and the Trustee is in active negotiations to resolve those claims as well.

6. Accordingly, the remaining parties hereby request that the Court vacate the current scheduling order (Docket No. 36) and set a status conference in the next 60-90 days to allow the parties an opportunity to finalize the settlement with Flaherty, continue discussions with Defendants Coley and ColeyDoctor, Inc., and to prepare a Motion for Default Judgment against Defendant Beckstrand.

WHEREFORE, the Creditor Trustee respectfully requests entry of the Proposed Order attached hereto Exhibit A, vacating the current Scheduling Order and setting the date and time for a status conference.

Respectfully submitted,

By: /s/ Cliff Walston  
Cliff Walston  
State Bar No. 24037666  
[cliff@walstonlegal.com](mailto:cliff@walstonlegal.com)  
ATTORNEY FOR PLAINTIFF

**CERTIFICATE OF CONFERENCE**

I hereby certify that on September 23, 2022, I conferred with Michelle Friery, counsel for Defendants Coley and ColeyDoctor, Inc., who stated she is in agreement with this motion.

By: /s/ Cliff Walston  
Cliff Walston

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing pleading has been served on all counsel and parties of record via the court's ECF system on September 23, 2022.

By: /s/ Cliff Walston  
Cliff Walston